

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

TERRANCE TURNER,

Plaintiff,

-against-

ADVANTAGE GPS, et al.,

Defendants.

23-CV-8647 (LTS)

ORDER OF DISMISSAL
UNDER 28 U.S.C. § 1651

LAURA TAYLOR SWAIN, Chief United States District Judge:

On May 11, 2023, the United States District Court for the Northern District of Texas held, in *Turner v. Trugreen Ltd. P'ship*, No. 3:23-CV-989-G-BK (N.D. Tex. May 11, 2023), that Terrance Turner was barred from filing future civil actions *in forma pauperis* (“IFP”) in the Northern District of Texas or in “any other federal court,” without first obtaining leave of court to do so.¹ On October 2, 2023, Plaintiff filed five actions in this district, including this one.² Because the May 11, 2023 order requires Plaintiff to obtain leave of court before bringing a new

¹ Plaintiff has filed more than 60 lawsuits throughout the United States during the last two years, which have generally been characterized as “both delusional and deficient,” and “illogical and unintelligible.” *Turner v. FDA*, No. 3:23-CV-0977-X-BK, 2023 WL 4109782 (N.D. Tx. June 1, 2023) (dismissing 16 consolidated actions). Although the Court does not reach the merits of this action, it also appears to be part of this vexatious pattern and, thus, an abuse of the privilege of proceeding IFP.

² In one of the other five cases filed in this court, the Court directed Plaintiff to show cause why the May 11, 2023 bar order, issued by the Northern District of Texas, should not apply to any civil action that he brings in this district. *See Turner v. Automobili Lamborghini Am.*, ECF 1:23-CV-8646, 4 (S.D.N.Y. Oct. 20, 2023). Plaintiff filed a response to the order to show cause on November 13, 2023, *id.*, ECF 5, but it failed to show that there was any reason not to enforce the bar order from the Northern District of Texas to any cases filed IFP in this court after May 11, 2023. By order dated November 28, 2023, the Court dismissed that action under the bar order. *Id.*, ECF 6.

action IFP, and because he did not do so, the Court dismisses this action without prejudice.

Turner, No. 3:23-CV-989-G-BK (N.D. Tex. May 11, 2023).

CONCLUSION

The Court dismisses this action without prejudice because Plaintiff failed to comply with the May 11, 2023 order from the United States District Court for the Northern District of Texas, which requires him to first obtain leave of court before bringing a new action IFP. *See Turner v. Trugreen Ltd. P'ship*, No. 3:23-CV-989-G-BK (N.D. Tex. May 11, 2023). All other pending matters in this case are terminated.

The Court certifies, pursuant to 28 U.S.C. § 1915(a)(3), that any appeal from this order would not be taken in good faith and therefore IFP status is denied for the purpose of an appeal. *See Coppedge v. United States*, 369 U.S. 438, 444-45 (1962).

The Clerk of Court is directed to enter judgment in this action.

SO ORDERED.

Dated: December 4, 2023
New York, New York

/s/ Laura Taylor Swain
LAURA TAYLOR SWAIN
Chief United States District Judge